

CITY OF ALEXANDRIA

Summary and Action Items - MCMG Meeting on February 6, 2007

A total of 30 people attended the above meeting including five MCMG members (Councilwoman Del Pepper, Councilman Paul Smedberg, Poul Hertel, Roger Waud, Steve Troxel), Jeffery Steers and Terry Darton from Virginia DEQ-NVRO, Dr. Charles Konigsberg of Alexandria Health Department, Ms. Lora Werner of ATSDR, Mr. Tim Aiken of the Office of Congressman Jim Moran and five senior staff from Mirant. The meeting agenda and the list of attachments and handouts are enclosed. These will be posted on the City's Division of Environmental Quality website.

- **Litigation Update**

- The Virginia Supreme Court has set a hearing on the zoning case appeal for sometime during the week of February 26, 2007.
- US Department of Justice made a motion to the federal district court to enter the proposed Amended Consent Decree and to deny the pending motion filed by the City on July 14 2006. Hearing on these motions is set for April 20, 2007.

- **Update on DOE/ EPA ACO (Administrative Consent Order)**

- Maureen Barrett of Aero Engineering, City's consultant, made a presentation on the City's concerns with regard to the wind tunnel study commissioned by Mirant. She questioned several aspects of the approach utilized in this study such as the use of mid-range stack exit velocity and gas temperature, and the lack of SO₂ monitors for model validation purpose. Her presentation will be posted on the same website.
 - She questioned several technical aspects of Mirant's proposed use of the EBD (Equivalent Building Dimensions) in the AERMOD model (used for production planning).
 - It was agreed that a meeting between modeling experts from the EPA, Virginia DEQ, Mirant and the City would be held sometime in March 2007, to rationalize differences and come up with an agreeable approach to modeling Mirant's emissions.
- A question was made to Jeff Steers of the VADEQ on the request for SO₂ and PM monitors on the Harbor Terrace. Mr. Steers will take the request back to the VADEQ Air Division Director.
- PEPCO is on schedule with the construction of the two 230 kV lines, and these will be operational in June 2007.
- In its extension of the DOE order 202-05-03 dated January 31, 2007, DOE considered the request for relocating citizens potentially affected by the long PEPCO planned outages, but decided that it was not warranted for. One MCMG member requested that the City carry out modeling evaluation to ensure minimized health impacts during these outages. The outages are scheduled to occur in February, May, and June of 2007.

- **Studies**

- Dr. Konigsberg reviewed the ATSDR report and expressed personal concerns regarding the health impacts of SO₂. Ms. Lora Werner of ATSDR reiterated that while the long-term impacts of SO₂ were uncertain with the available information, the short-term impacts have been well documented. Real-time SO₂ data obtained by Mirant would greatly facilitate the assessment of these impacts.
- Ms. Werner mentioned that ATSDR would be in discussion with the EPA on how to deal with the short-term impacts of SO₂ in a regulatory framework. On a side note, copper smelters around the world used to control ambient SO₂ level (say 15-minute average) by curtailing production.
- ATSDR prepared an easy-to-read one-page summary of its report for distribution to the local citizens.
- John Britton reviewed the report by Dr. Rebecca Bascom of PennState University on the Eastmount study (Attachment H) that pointed to the PRGS as the source of Alexandria's pervasive, accumulating outdoor and indoor coal soot pollution and the need for remediation at the source.

- **Legislative and Regulatory Updates**

- Councilwoman Del Pepper mentioned that Mr. David Paylor, Director of VADEQ, had told her that a draft Comprehensive SOP (State Operating Permit) for Mirant was forthcoming and would be issued for public comments within the next few weeks. When asked about this, Mr. Jeff Steers of DEQ-NVRO did not seem to be aware of it. He did stress the fact that VADEQ would solicitate the City's inputs in the preparation of the draft SOP.
- According to Mr. Steers, it is not clear whether DEQ is contemplating a Comprehensive SOP or a separate permit for the stack merger project.
- The Mayor sent a letter to Governor Kaine (Handout J) expressing City's concern on the proposed legislation (HB3113 & SB1403) to merge the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board. The City believes that it is important that the State Air Pollution Control Board be given sufficient time to complete all actions on the SOP.
- In preparation for the SOP, David Paylor of VADEQ requested Virginia Health Department to assess the health impacts of trona. Mr. Steers will send a copy of this request to the City Staff.
- Ignacio Pessoa, City Attorney, mentioned that Bill **1301(?)** has passed in the Senate but failed in the House. This bill would allow enforcement actions to be taken on instantaneous stack opacity violations. He also mentioned that the City closely monitors several proposed bills that could have an impact on Mirant.
- Mirant has recently filed a Notice of Appeal regarding the Virginia SIP of the federal CAIR (Clean Air Interstate Rules). City staff will be monitoring this development as well as commenting on the Virginia regulations related to the state-specific CAMR (Clean Air Mercury Rules).

- **Upcoming**

- City staff plans to meet with the Virginia DEQ regarding the SOP, and will be prepared to make a presentation to the State Air pollution Control Board sometime in March, 2007 when the Board is supposed to meet to discuss the Mirant SOP.

- VADEQ will present its permitting strategy for the Mirant SOP.
- VADEQ will release the NSR determination by the end of the month.

- **Other**

- Report on the Mirant's stack testing carried out in December 2006, is due to the EPA/DEQ on February 16, 2007.
- One MCMG member asked about industrial applications of trona. Maureen Barrett answered that it has been used for SO₃ control but that the quantities were much smaller than those used for SO₂ control at Mirant PRGS.

- **Action Items**

- **VADEQ**

- Jeff Steers is to clarify DEQ position on Mirant SOP and on monitors on Harbor Terrace and Potomac Shores.
- Jeff Steers will determine whether VADEQ will perform an independent review of Mirant's Wind Tunnel Study and MES.
- VDEQ will share the Draft permit with the City and take its input prior to releasing the permit for public comment.
- VDEQ will clarify how it intends to issue permit (comprehensive permit with limits or separate operating permit to address downwash issue and stack merger issues)

- **City Staff**

- Request from Mirant real-time SO₂ data for assessment of short-term impacts of SO₂.
- Consider developing effective health messages to minimize health impacts during PEPCO planned outages.
- Participate in a meeting with VDEQ, Mirant, EPA to discuss status and issues related to Mirant emissions modeling.
- Meet with Virginia DEQ regarding the draft permit and other related issues.
- Conduct a literature review of use of trona in coal-fired power plants.
- Inform public of the date for the federal district court hearing on the Amended Consent Decree.

- **Mirant**

- Mirant asked the City to submit a list of plant emission data that it would like to obtain.

MIRANT COMMUNITY MONITORING GROUP

FEBRUARY 6, 2007, 7:30 pm
Room 1101, City Hall, 301 King Street, Alexandria

AGENDA

- 1. Introductions**
- 2. Litigation Update (Ignacio Pessoa, City Attorney)**
 - Nuisance Lawsuit
 - Zoning Appeal
 - NOx Consent Decree
- 3. Update on DOE/ USEPA ACO (Bill Skrabak, Division Chief, Environmental Quality)**
 - Wind Tunnel Study & DOE Special Environmental Assessment (Maureen Barrett, Aero Engineering)
 - Status of Pepco Lines
 - PEPCO Past & Planned Outages
 - Monthly Reports
- 4. Studies**
 - ATSDR Letter (Dr. Charles Konigsberg, Jr., Director, Alexandria Health Department)
 - Eastmount Report on "Collection and Analysis of Particulate Fallout Samples near Coal-Fired Power Plant in Alexandria, VA" (John Britton, Attorney, Schnader, Harrison, Segal & Lewis LLP)
- 5. Legislative and Regulatory Updates**
 - State CAIR and CAMR Rules
 - State Legislative Update including Proposed Elimination of Air Control Board and Board's Permitting Authority
 - Mirant's Permit (SOP and Stack Merger)..... (VADEQ Staff Invited)
 - NSR Review..... (VADEQ Staff Invited)
- 6. Upcoming**
 - Presentation to Air Pollution Control Board
 - Meeting with VADEQ Staff
- 7. Other Issues and Comments**
- 8. Adjourn**

LIST OF ATTACHMENTS/ HANDOUTS

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I	Mirant Issues Tracking Matrix – Updated 2-5-07	
J	Letter from Mayor William Euille to Governor Timothy Kaine, January 30, 2007	
K	Department of Health & human Services, Initial Evaluation Summary of "Health Consultation – Evaluation of Air Dispersion Modeling of the Mirant Potomac river Generating Station Emissions in Alexandria, Virginia.	
L	Dr. Rebecca Bascom's review of the Eastmount report on "Collection and Analysis of Particulate Fallout Samples near Coal-Fired Power Plant in Alexandria, VA", February 6, 2007.	